



16450
April 7, 2006

**CAPTAIN OF THE PORT
SAN DIEGO, CALIFORNIA
ORDER 014-06**

**Owner, M/V INFINITI MARU
O.N. CF7617TG (US flag)**

Attn: Joseph O'Conner
Rua Cerqueiro 3, 3 degrees East
Samil Navia
26212 Vigo
Espana

Via: Hand delivery to Mr. Robert Smith, Ship's Engineer

Dear Mr. O'Conner,

I am in receipt of information that your vessel is in violation of Title 33 Code of Federal Regulations (CFR) part 151.63(a); specifically that "the master, operator, or person who is in charge" of your vessel has not ensured that all garbage is discharged ashore in accordance with 33 CFR part 151.66, which reads "No person onboard any ship may discharge garbage into the navigable waters of the United States." According to these regulations, the term garbage includes those operational wastes generated during the normal operation of a ship. It has been found that individuals onboard the M/V INFINITI MARU have discharged items I consider to be operational waste into San Diego Harbor, a navigable water of the US. I must make you aware that according to 33 United States Code (USC) part 1908, each day this "waste" remains in the water and is not properly disposed of ashore constitutes another violation.

You are hereby ordered to remain at the Embarcadero Pier slip #1 until you have come into compliance with the above stated regulations. Any movement of your vessel is prohibited unless authorized by me. Compliance with the above stated regulations can be achieved by removing all operational waste around and under M/V INFINITI MARU which was discharged by persons on board your vessel while moored to Embarcadero Pier slip #1, San Diego, CA, and by properly disposing of the operational waste ashore. Upon coming into compliance with the regulations stated, your vessel will be released from this order. Prior to your release, a Coast Guard representative must verify that the above requirements have been met. A Coast Guard representative can be reached at (619) 571-2621.

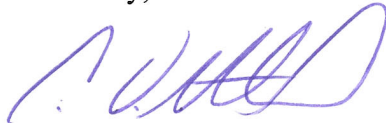
This order is given to you under the authority of the Ports and Waterways Safety Act (33 USC 1221 et seq.) and the regulations promulgated thereunder (33 CFR 160). Failure to comply with the provisions of this order may subject you to a civil penalty of \$32,500 for each violation. Each day of a continuing violation shall constitute a separate violation. Any person who willfully and knowingly violates this order may be fined or imprisoned for

committing a Class D felony. Your vessel may be seized and held liable for any monetary assessments.

Should you be aggrieved by this order, you may request reconsideration by appeal under the procedures as prescribed in Title 33 Code of Federal Regulation, Section 160.7. This request may be made orally or in writing, however, if the initial appeal is made orally, a written submission is required within five days of the oral presentation.

ORDERED AT SAN DIEGO, CALIFORNIA AT 1600 PST ON APRIL 7, 2006.

Sincerely,



C. V. STRANGFELD
Captain, U.S. Coast Guard
Captain of the Port, San Diego